THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.15520 of 2006

ORDER:

This writ petition is filed questioning the order passed by the District Collector, Kadapa in proceedings dated 22.5.2006 dismissing the revision filed by the petitioner being aggrieved by the order passed by the Joint Collector (CS), Kadapa, whereunder the appeal filed by the petitioner against the order passed by the Revenue Divisional Officer, Kadapa was dismissed.

The case of the petitioner is that on 25.3.2006 when the revision stood posted for hearing before the first respondent-District Collector, there was a news item published in the local daily to the effect that the Collector is camping at Pulivendula, therefore, she alone went to the Collector's office with an intention to seek an adjournment. Surprisingly, the Collector was presiding the Court and the request of the petitioner for adjournment was refused and the impugned order came to be passed, which according to the petitioner, is arbitrary, illegal and violative of principles of natural justice.

There is no necessity of going into all the details. The impugned order passed by the first respondent-District Collector does not reveal any reasons for dismissing the appeal. The District Collector has simply noted the grounds and disposed of the same by a cryptic order, which reads as under:

> "Since the revision petitioner could not show the proof of residence and has been trying to get more and more adjournments, it is felt that the petitioner has no further evidence to produce documents. This is a very long pending case and the balance of convenience also works against the revision petitioner.
>
> Hence, I do not find any reasons to interfere with the orders of the Joint Collector, Kadapa passed in

Ref.No.1(3)/204/99 dated 1.8.2005 directing the Revenue Divisional Officer, Kadapa to notify and fill up the 18th Ward F.P. shop duly following the procedure. The revision petition is accordingly dismissed".

I am of the opinion that neither the petitioner was heard in this regard, nor any detailed order was passed by the District Collector while dismissing the revision adverting to the various contentions raised by the petitioner in the grounds of appeal etc. Under those circumstances, the impugned order suffers from gross violation of principles of natural justice, therefore, the same is liable to be set aside.

In the result, the writ petition is allowed and the impugned order is set aside and the matter is remanded back to the first respondent-District Collector for passing orders afresh after putting the petitioner on notice and hearing her personally or through an Advocate, if necessary. No order as to costs.

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C.V.RAMULU, J

Date: 27.7.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

27.7.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.15520 of 2006

Dated: 27th July, 2006

Between:

Marella Radha Rani

.. Petitioner

and

The District Collector,
Kadapa district, Kadapa & others.

.. Respondents